



Natural Resources Conservation Service  
655 Parfet Street, Room E200C  
Lakewood, Colorado 80215

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VIA ELECTRONIC MAIL

**Subject: 2009 Farm and Ranch Lands Protection Program  
Announcement of Application Cut-off Date for Colorado**

To Our Conservation Partners:

Beginning this year, applications for the Farm and Ranch Lands Protection Program (FRPP) will be accepted on a continuous basis. There will no longer be annual notices of funds availability and “requests for proposals.” Instead, we will announce one or more “application cut-off dates” (with 60 days’ notice) at which time we will evaluate and rank the applications we have on hand, then make awards. (We will attempt to coordinate this with Great Outdoors Colorado’s funding cycles as much as possible.)

**The next application cut-off date will be: Tuesday May 26, 2009 (4:00 PM)**

**Send proposals to:** Gary Finstad, Easements Coordinator  
USDA Natural Resources Conservation Service  
655 Parfet Street, Room E200C  
Lakewood, CO 80215-5517

**Postmarks will not be honored.**

Please, submit **one original and two copies** of your proposal.

As you know, the 2008 farm bill changed the program in a number of ways. To learn more about that, check out our national website at: <http://www.nrcs.usda.gov/programs/frpp>. New material should be posted there in the near future.

In addition, our Colorado NRCS website will have links to this announcement, the “2009 Colorado FRPP Application Guide,” and the “2009 Colorado FRPP Scoring System”—within a week or so. See: <http://www.co.nrcs.usda.gov>

The FRPP is a voluntary program designed to protect high quality farm and ranch lands from conversion to nonagricultural uses through the use of permanent conservation easements. Applicants, landowners, and offered parcels must demonstrate eligibility for participation in this program. Refer to the attachments for details.

Helping People Help the Land

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Please, submit a sample of the easement deed you propose to use with your application(s). We will provide you with additional language required by the 2008 farm bill when it becomes available. That language will relate to liability, an environmental warranty, and a reserved right of enforcement for the United States of America.

The minimum level of conservation planning required by statute is for “highly erodible land” (certain croplands with inherently erodible soils due to soil characteristics, topographic features, climatic factors, or a combination of each). States have the discretion to require a higher level of conservation, and Colorado will continue to require a somewhat higher standard. The deed language will need to include the following (which is the key portion of a more lengthy statement):

“The minimum standard for Conservation Plan development on the Property is to meet the standards for the NRCS Field Office Technical Guide’s quality criteria for:

- (1) on *grazing lands*: soil and plant resource concerns; and
- (2) on *croplands*: soil and water resource concerns.

However, the Grantor may develop and implement a Conservation Plan that proposes a higher level of conservation and is consistent with the NRCS Field Office Technical Guide standards and specifications. NRCS shall have the right to enter upon the Property, with advance notice to Grantor, in order to monitor adequacy of the Plan and its implementation.”

The “2009 Colorado FRPP Application Guide” contains the elements that must be addressed in your proposal. Please, develop your proposal according to the format in the guide. *Scores will mirror the degree to which proposals succinctly convey the required information.*

As a condition of receipt of FRPP funds, landowners must certify that they are in compliance with the highly erodible land (HEL) and wetland conservation (WC) provisions of the Food Security Act of 1985, as amended. This is accomplished by submitting Form “AD-1026, Highly Erodible Land Conservation and Wetland Conservation Certification” to the local USDA Farm Service Agency office. All persons with an interest in the Property must be in compliance. The certification applies to all agricultural lands owned or operated by the landowner, anywhere—not just the land proposed for FRPP funding.

Farm Bill program participants are also subject to a limitation on non-farm adjusted gross income (AGI). Average AGI cannot exceed \$1.0 M for the previous three tax years, unless 2/3 was derived from farming, ranching, or forestry operations. Form “CCC-926, Average Adjusted Gross Income Certification” must be submitted to the local Farm Service Agency office by all persons with an interest in the Property.

We will verify landowner status here, using a secure web-based application. It is important that landowners submit these documents early to allow sufficient time for FSA staff to process the information and get compliance settings set correctly in the system. (This may take up to four weeks or more, so consider this a word to the wise . . .)

**Awards will be announced on or about June 19, 2009.** Awards will be based on a ranking of the applications by score, with possible exceptions made for projects that are judged not to be in

the best interest of the program (because, for example, they are too close to unavoidable growth, the cost is prohibitive, or there are title issues that cannot be satisfactorily resolved).

There is no limit to the number of projects an applicant may submit for consideration, but Colorado will have only about \$2.1 M to award in this cycle. FRPP funds must be obligated through a cooperative agreement by July 15. We'll forward the new 2009 agreement template as soon as it's available.

Contact Gary Finstad if you have any questions: (720)544-2820 / [gary.finstad@co.usda.gov](mailto:gary.finstad@co.usda.gov).

We look forward to working with you.

Sincerely,

/s/

ALLEN GREEN  
State Conservationist

Enclosures

cc: Tim Carney, Assistant State Conservationist-Programs, NRCS, Colorado  
Gary Finstad, Easements Coordinator, NRCS, Colorado  
Area Conservationists, NRCS, Colorado  
District Conservationists, NRCS, Colorado  
Area Resource Conservationists (Programs), NRCS, Colorado  
RC&D Coordinators, NRCS, Colorado  
Cindy Lair, Program Manager, Colorado State Conservation Board  
Darlene Jensen, Executive Vice President, Colorado Association of Conservation Districts  
Jill Ozarski, Executive Director, Colorado Coalition of Land Trusts